



PUBLIC NOTICE

Federal Communications Commission
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DA 02-3334

December 3, 2003

**WIRELINE COMPETITION BUREAU EXTENDS DEADLINE FOR FILING REPLY
COMMENTS TO COMMENTS ON AT&T'S PETITION FOR DECLARATORY
RULING THAT AT&T'S PHONE-TO-PHONE IP TELEPHONY SERVICES ARE
EXEMPT FROM ACCESS CHARGES**

Pleading Cycle Revised

WC Docket No. 02-361

Comments Due: December 18, 2002

Reply Comments Due: January 24, 2003

On November 18, 2002, the Wireline Competition Bureau issued a Public Notice seeking comment on AT&T's Petition for Declaratory Ruling that AT&T's Phone-to-Phone IP Telephony Services are Exempt from Access Charges.¹ On November 25, 2002, The Competitive Telecommunications Association ("CompTel") filed a motion requesting the Commission to extend the period for all interested parties to file reply comments in this proceeding from January 7, 2002 to January 24, 2003.² CompTel states that the reply comment cycle in this proceeding coincides with the holiday season such that the personnel with expertise necessary to address the issues raised in this proceeding will be unavailable. CompTel asserts that a brief extension of time will permit more substantive and complete responses to the complex issues raised in this proceeding and will not prejudice any interested parties. A review of the record reveals that CompTel's motion for extension of the reply deadline is unopposed.

¹ *Wireline Competition Bureau Seeks Comments on AT&T Petition for Declaratory Ruling that AT&T's Phone-to-Phone IP Telephony Services are Exempt from Access Charges*, WC Docket No. 02-283, Public Notice, DA 02-3184 (rel. Nov. 18, 2002).

² *In the Matter of AT&T's Petition for Declaratory Ruling that AT&T's Phone-to-Phone IP Telephony Services are Exempt from Access Charges*, WC Docket No. 02-283, CompTel Motion for Extension of Time (filed Nov. 25, 2002).

The Wireline Competition Bureau finds that CompTel's Motion is consistent with the public interest and grants an extension of the time period in which interested parties may file reply comments from January 7, 2003 to January 24, 2003.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,³ interested parties may file comments no later than December 18, 2002. Interested parties may file reply comments no later than January 24, 2003. **All responsive filings must reference the docket number of this proceeding, WC Docket No. 02-361.** Comments and reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

Comments and reply comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the filing to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic copy by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: "get form <your email address>." A sample form and directions will be sent in reply. Commenters also may obtain a copy of the ASCII Electronic Transmittal Form (FORM-ET) at <http://www.fcc.gov/e-file/email.html>.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Regardless of whether parties choose to file electronically or by paper, parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, Qualex International, Portals II, 445 12th Street S.W., CY-B402, Washington, D.C. 20554 (telephone 202-863-2893; facsimile 202-863-2898) or via e-mail at qualexint@aol.com. In addition, one copy of each submission must be filed with the Chief, Pricing Policy Division, Wireline Competition Bureau, and Chief, Competition Policy Division, Wireline Competition

³ 47 C.F.R. §§ 1.415, 1.419.

Bureau, 445 12th Street, S.W., Washington, D.C. 20554. Documents filed in this proceeding will be available for public inspection during regular business hours in the Commission's Reference Information Center, 445 12th Street, S.W., Washington, D.C. 20554, and will be placed on the Commission's Internet site.

This proceeding will be governed by "permit-but-disclose" *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission's rules.⁴ Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁵ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. In addition, interested parties are to file any written *ex parte* presentations in this proceeding with the Commission's Secretary, Marlene H. Dortch, 445 12th Street, S.W., TW-B204, Washington, D.C. 20554, and serve with three copies each: Pricing Policy Division, Wireline Competition Bureau, Attn: Kathy O'Neill, and Competition Policy Division, Wireline Competition Bureau, Attn: Julie Veach, 445 12th Street, S.W., Washington, D.C. 20554. Parties shall also serve with one copy: Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 863-2893.

For further information, contact Kathy O'Neill, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520, or Julie Veach, Competition Policy Division, Wireline Competition Bureau, (202) 418-1558.

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⁴ 47 C.F.R. § 1.1206.

⁵ 47 C.F.R. § 1.1206(b)(2).